

REMARKS

This amendment is in response to the Office Action of April 4, 2007 in which claims 20-23 were rejected.

Regarding the objection to claim 1, the dash lines drawn at the beginning of each line of claim 20 have been removed by showing them contained within brackets to indicate they are cancelled. These were evidently inserted by the Microsoft Word "change tracking" to indicate that new paragraphs were started where indicated. Withdrawal of the objection of claim 20 is requested.

Claims 20-23 are rejected under 35 U.S.C. Section 103(a) as being unpatentably obvious over *Geiger et al* (WO 2000/72147 A1) in view of *Hurst et al* (US 2003/0224823 A1).

It is unnecessary to address the merits of the subject rejection because the subject matter disclosed in the *Hurst et al* publication qualifies as prior art only under subsection (e) of 102 of Title 35 and, according to 35 U.S.C. Section 103(c) such subject matter shall not preclude patentability under Section 103 where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

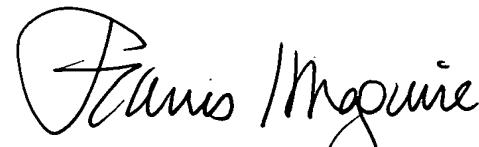
It is affirmed by the undersigned that the subject matter disclosed by the *Hurst et al* publication and the presently claimed invention were, at the time the present invention was made, owned by the same person or subject to an obligation of assignment to the same person, i.e., Nokia Corporation. See the Recordation records for the conveyance of the *Hurst et al* patent application at Reel/Frame 013226/0248 recorded August 26, 2002. See also Reel/Frame 014909/0448 recorded January 20, 2004 for the Recordation of the present application to Nokia Corporation.

Withdrawal of the obviousness rejection of claims 20-23 is requested.

Regarding the PTO-892 attached to the Non-Final Office Action, the *Geiger et al* reference is cited by the Examiner as if it is being cited for the first time. However, this citation is redundant because applicant was actually the first to cite this reference in the PTO-1449 supplied with the application on September 19, 2003 and initialled by the Examiner and returned back to us with the Office Action of March 21, 2006.

The objections and rejections of the Office Action of April 4, 2007, having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested and passage of claims 20-23 to issue is solicited.

Respectfully submitted,



Francis J. Maguire  
Attorney for the Applicant  
Registration No. 31,391

FJM/lk  
WARE, FRESSOLA, VAN DER SLUYS  
& ADOLPHSON LLP  
755 Main Street, P.O. Box 224  
Monroe, Connecticut 06468  
(203) 261-1234